

**PRELIMINARY AMENDMENT A**

Replace original claims 1 - 39 with claims 40 - 76 below.

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1     **40.**     A business method intended to facilitate flexible terms commodities trading comprising the  
2     steps of:

3             providing, upon a web site accessible upon the world wide web, a proposal format in which  
4     the type of auction can be specified in addition to the particular commodity, weight, price, and  
5     specific commodity category dependent quality characteristics desired by a prospective buyer in  
6     completion of a submission for initiating an open bid;

7             providing the option of provision of a model of a particular commodity desired for purposes  
8     of indicating the quality desired by a prospective buyer;

9             providing, upon a web site accessible upon the world wide web, a proposal format in which  
10    the type of auction can be specified in addition to the particular commodity, weight, price, and  
11    specific commodity dependent quality characteristics offered by a prospective seller in completion of  
12    a submission for initiating an open offer;

13            providing the option of provision of a sample of a particular commodity desired for purposes  
14    of indicating the quality desired by a prospective seller;

15            posting upon said web site a listing for a specified lot of a particular commodity in accordance  
16    with a completed proposal submission detailing a plurality of terms including weight, price, quality  
17    characteristics, delivery and payment comprising an open offer of said specified lot when initiated by  
18    a prospective seller and comprising an open bid of said specified lot when initiated by a prospective  
19    buyer;

20            scheduling an auction of said specified lot by posting a plurality of schedule dates including  
21    but not restricted to commencement and conclusion dates between which responses to said listing will  
22    be received;

continued

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1 posting upon said web site, in association with said listing, counter bids received in response  
2 to an open offer and counter offers received in response to an open bid which vary in any of the terms  
3 included in said plurality of terms detailed in said listing;

4 posting upon said web site, in association with said listing, any offer indications by said  
5 prospective seller in response to posted counter bids and any bid indications by said prospective buyer  
6 in response to posted counter offers signifying a modification of at least one term in said listing;

7 indicating upon said web site, in association with said listing, the matching in all said terms  
8 between any offer and any bid both concerned with said specified lot.

Q' 9  
10 41. The business method of **claim 40** further including the step of deposting, upon said web site,  
11 said listing following indication of the matching in all said terms between any offer and any bid both  
12 concerned with said specified lot.

13  
14 42. The business method of **claim 40** wherein said web site providing said proposal format in  
15 which the type of auction can be specified by a prospective buyer in completion of a submission for  
16 initiating an open bid is different than said web site providing said proposal format in which the type  
17 of auction can be specified by a prospective seller in completion of a submission for initiating an open  
18 offer.

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20 43. The business method of **claim 40** wherein said web site providing said proposal format in  
21 which the type of auction can be specified by a prospective buyer in completion of a submission for  
22 initiating an open bid is the same as said web site providing said proposal format in which the type  
23 of auction can be specified by a prospective seller in completion of a submission for initiating an open  
24 offer.

25  
26 continued

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1     **44.**     The business method of **claim 40** further including the step of providing notification to  
2     subscribers of listings identified by commodity category as being of interest to said subscribers.

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4     **45.**     The business method of **claim 44** wherein said notification is provided by electronic means  
5     inclusive of e-mail.

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7     **46.**     The business method of **claim 40** wherein said web site providing said proposal format in  
8     which the type of auction can be specified by a prospective buyer in completion of a submission for  
9     initiating an open bid provides registration access means for registration of said prospective buyer  
10    with an auction house maintaining said web site.

11  
12    **47.**     The business method of **claim 46** wherein registration of said prospective buyer requires  
13    payment of a fee to said auction house by said prospective buyer.

14  
15    **48.**     The business method of **claim 40** wherein said web site providing said proposal format in  
16    which the type of auction can be specified by a prospective seller in completion of a submission for  
17    initiating an open offer provides registration access means for registration of said prospective seller  
18    with an auction house maintaining said web site.

19  
20    **49.**     The business method of **claim 48** wherein registration of said prospective seller requires  
21    payment of a fee to said auction house by said prospective seller.

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23    **50.**     The business method of **claim 40** wherein said web site providing said proposal format in  
24    which the type of auction can be specified by a prospective buyer in completion of a submission for  
25    initiating an open bid provides directory access means for accessing a directory comprised of a  
26    plurality of commodity categories.



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1     **57.**     The business method of **claim 40** wherein said prospective seller, in specification of the type  
2     of auction, may choose downward, incremental, constrained bidding wherein said listing specifies an  
3     initial maximum price and bidding within the time between said commencement and conclusion dates  
4     is constrained with regard to price by the progressive decrease of the same in predetermined  
5     increments and by a predetermined minimum price which is not posted in said listing.

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7     **58.**     The business method of **claim 57** wherein said predetermined increments constraining said  
8     progressive decrease of price are a function of time.

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10    **59.**     The business method of **claim 40** wherein said prospective buyer, in specification of the type  
11    of auction, may choose downward, open, unconstrained offering wherein said listing specifies an  
12    initial maximum price and offering within the time between said commencement and conclusion dates  
13    is otherwise unconstrained with regard to price.

14  
15    **60.**     The business method of **claim 40** wherein said prospective buyer, in specification of the type  
16    of auction, may choose downward, incremental, unconstrained offering wherein said listing specifies  
17    an initial maximum price and offering within the time between said commencement and conclusion  
18    dates is otherwise only constrained with regard to price by the progressive decrease of the same in  
19    predetermined increments.

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21    **61.**     The business method of **claim 60** wherein said predetermined increments constraining said  
22    progressive decrease of price are a function of time.

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24    **62.**     The business method of **claim 60** wherein said predetermined increments constraining said  
25    progressive decrease of price are a function of the number of responses received.  
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**PRELIMINARY AMENDMENT A**

1     **63.**     The business method of **claim 40** wherein said prospective buyer, in specification of the type  
2     of auction, may choose upward, incremental, constrained bidding wherein said listing specifies an  
3     initial minimum price and offering within the time between said commencement and conclusion dates  
4     is constrained with regard to price by the progressive increase of the same in predetermined  
5     increments and by a predetermined maximum price which is not posted in said listing.

6  
7     **64.**     The business method of **claim 63** wherein said predetermined increments constraining said  
8     progressive increase of price are a function of time.

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10    **65.**     The business method of **claim 40** wherein said model of a particular commodity is provided  
11    by said prospective buyer directly to prospective sellers.

12  
13    **66.**     The business method of **claim 40** wherein said model of a particular commodity is provided  
14    by said prospective buyer to an auction house maintaining said web site.

15  
16    **67.**     The business method of **claim 66** wherein said model of a particular commodity provided by  
17    said prospective buyer to said auction house is tested by a laboratory and testing results are posted  
18    on said web site in association with said listing.

19  
20    **68.**     The business method of **claim 66** wherein said model of a particular commodity provided by  
21    said prospective buyer to said auction house is provided to prospective sellers by said auction house.

22  
23    **69.**     The business method of **claim 68** wherein said model of a particular commodity provided by  
24    said prospective buyer to said auction house is divided proportionally by said auction house in  
25    accordance with a number of prospective sellers each of whom is provided a proportion of said model  
26    by said auction house.

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1     **70.**     The business method of **claim 68** wherein said model of a particular commodity provided by  
2     said prospective buyer to said auction house is comprised of a discrete number of pieces each  
3     esteemed by said auction house to possess substantially equivalent quality and prospective sellers are  
4     each provided with one said piece of said model by said auction house.

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6     **71.**     The business method of **claim 40** wherein said sample of a particular commodity is provided  
7     by said prospective seller directly to prospective buyers.

8  
9     **72.**     The business method of **claim 40** wherein said sample of a particular commodity is provided  
10    by said prospective seller to an auction house maintaining said web site.

11  
12    **73.**     The business method of **claim 72** wherein said sample of a particular commodity provided  
13    by said prospective seller to said auction house is tested by a laboratory and testing results are posted  
14    on said web site in association with said listing.

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16    **74.**     The business method of **claim 72** wherein said sample of a particular commodity provided  
17    by said prospective seller to said auction house is provided to prospective buyers by said auction  
18    house.

19  
20    **75.**     The business method of **claim 74** wherein said sample of a particular commodity provided  
21    by said prospective seller to said auction house is divided proportionally by said auction house in  
22    accordance with a number of prospective buyers each of whom is provided a proportion of said  
23    sample by said auction house.

continued

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- a' 1    76.    The business method of **claim 74** wherein said sample of a particular commodity provided  
2    by said prospective seller to said auction house is comprised of a discrete number of pieces each  
3    esteemed by said auction house to possess substantially equivalent quality and prospective buyers are  
4    each provided with one said piece of said sample by said auction house.
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